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UNCLAS BOGOTA 009715

SIPDIS

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SUBJECT: DEFENSE ARTICLE REGULATONS FOR COLOMBIA

1. (U) Presidential Decree 2535 of 1993 governs Colombia's weapons imports and manufacturing processes. Per the regulations, Industrias Militares (Indumil) is the only entity in Colombia with the ability to import or manufacture weapons. Once the production or import is complete, weapons become the responsibility of the Ministry of Defense, in the Office of the Armed Forces General Command. That office assumes control of the defense articles and may distribute them to the different divisions as needed.

2. (U) According to the Decree, Indumil is not/not responsible for tracking defense equipment once it leaves their facilities. To that end, the Decree does not require Indumil to keep paperwork on the end user status for imported or manufactured items. Title five of the Decree states:

-- "Article 57 ) Import and export of arms, munitions, and explosions. Only the National Government can import and export arms, munitions, explosives, and its accessories, in accordance with the regulations issued by the National Government, for the direction of the National Government.

-- "The importation of explosives and primary materials contemplated in paragraph 3 of article 51 of this Decree can be requested privately for commercial use except in circumstances of defense and national security. The governmental entity charged with these operations cannot derive any profit for this duty and can only charge to cover administration and management costs."

3. (U) In addition, competent military authorities may sell weapons or issue permits in 37 military bases across Colombia. In Title IV, Chapter 1 it regulates the sale of munitions:

-- "Article 48: "Military authorities mentioned by this decree can sell munitions to those with necessary permission. In the consideration of the competent authority, military authorities may also grant weapon transport permission and the weapon itself."

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